

**SARASOTA COUNTY PERMITTEES
NPDES PERMIT FOR
MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

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PART I.

DISCHARGES AUTHORIZED UNDER THIS PERMIT

- A. **Permit Area.** This permit covers all areas located within the political boundary of Sarasota County and the portion of the Town of Longboat Key within Manatee County served by municipal separate storm sewer systems owned or operated by the permittees identified in Part I.C.
- B. **Authorized Discharges.** Except for discharges prohibited under Part I.D., this permit authorizes all existing or new storm water point source discharges to waters of the United States from those portions of the Municipal Separate Storm Sewer System (MS4) owned or operated by the permittees.
- C. **Permittees.**

The following entities are permittees subject to the conditions of this permit:

N **Sarasota County**

N **Town of Longboat Key***

N **City of North Port**

N **City of Sarasota**

N **City of Venice**

N **Florida Department of Transportation,
District One**

* *Permit coverage includes the entire Town of Longboat Key
which is located in both Sarasota and Manatee Counties*

References to "permittee" in this permit includes each of the entities above.

1. Each permittee is individually responsible for:
 - a. Compliance with permit conditions relating to discharges from portions of the MS4 where they are the operator;
 - b. Storm water management program implementation on portions of the MS4 where they are the operator;
 - c. Where permit conditions are established for specific portions of the MS4, the permittee need only comply with the permit conditions relating to those portions of the MS4 for which they are the operator; and
 - d. A plan of action to assume responsibility for implementation of storm water management and monitoring programs on their portions of the MS4 should inter-jurisdictional agreements allocating responsibility between permittees be

dissolved or in default. (See Part II.G.3., page 20 of this permit also.)

2. Each permittee is jointly responsible for:
 - a. Submission of annual reporting requirements as specified in Part V.C. (ANNUAL REPORT), page 49;
 - b. Collection of monitoring data as required by Part V.B., page 47, according to such agreements as may be established between permittees;
 - c. Insuring implementation of system-wide management program elements, including any system-wide public education efforts.
3. Specific permittees are jointly liable for permit compliance on portions of the MS4:
 - a. Where operational or storm water management program implementation authority over portions of the MS4 has been transferred from one permittee to another in accordance with legally binding interagency or inter-jurisdictional agreements, both the owner and operator are jointly responsible for permit compliance on those portions of the MS4, unless specific responsibility provisions have been otherwise outlined in said agreements.

D. Limitations on Coverage. Section 402(p)(3)(B)(ii) of the Clean Water Act specifically requires EPA to include within this permit an effective prohibition on non-storm water entering the MS4. The following discharges are not authorized by this permit:

1. *Non-storm Water:* discharges of non-storm water, except where such discharges are:
 - a. in compliance with a separate NPDES permit (or the discharger has applied for such permit); or
 - b. identified by and in compliance with Part II.A.7.a., page 9 of this permit.
2. *Spills:* discharges of material resulting from a spill, except where such discharges are:
 - a. the result of an Act of God where reasonable and prudent measures have been taken to minimize the impact of the discharge; or
 - b. an emergency discharge required to prevent imminent threat to human health or prevent severe property damage, provided reasonable and prudent measures have been taken to minimize the impact of the discharge.

PART II.

STORM WATER POLLUTION PREVENTION & MANAGEMENT PROGRAMS

Each permittee covered by this permit shall contribute to the development, revision, and implementation of a comprehensive Storm Water Management Program (SWMP) including pollution prevention measures, treatment or removal techniques, storm water monitoring, use of legal authority, and other appropriate means to control the quality of storm water discharged from the Municipal Separate Storm Sewer System (MS4). The SWMP shall be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Part 122.26.

Controls and activities in the SWMP shall identify areas of permittee jurisdiction, applicability, or specific area basis. The SWMP shall include controls necessary to effectively prohibit the discharge of non-storm water into municipal separate storm sewers and reduce the discharge of pollutants from the MS4 to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream. Compliance with this SWMP shall be reported annually in the ANNUAL REPORT discussed in Part V.C. on page 49 of this permit.

The SWMP shall cover the term of the permit and shall be updated as necessary, or as required by the Director, to ensure compliance with this statutory requirement of Clean Water Act Section 402(p)(3)(B). Modifications to the SWMP shall be made in accordance with Part II.G. of this permit. Compliance with the SWMP and the compliance schedules in Part III shall be deemed in compliance with Parts II.A. and II.B. of the permit. **The Storm Water Management Program submitted by the permittees in the July 23, 1993, Part 2 Application, and all approved updates, are hereby incorporated into this permit by reference and thus are conditions of this permit. FDOT's Statewide Storm Water Management Program for Part 2 EPA NPDES-MS4 Permit Application dated June 1993 and all approved updates, are hereby incorporated into this permit by reference and thus are conditions of this permit.** Specific components from these Storm Water Management Programs are identified in Parts II and III to serve as measurable enforcement permit conditions. Compliance dates specified in Part III of the permit shall take precedence over compliance dates which may have been proposed in Part 1 or Part 2 of the municipal applications from the permittees.

Implementation of the SWMP may be achieved through participation with other permittees, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part II and Part III of the permit in lieu of creating duplicate program elements for each individual permittee. The SWMP, taken as a whole, shall achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act, and shall not cause or contribute to violations of State water quality standards of the receiving stream pursuant to the Florida Administrative Code (FAC)§62-40.420(1)-(4).

A. **Storm Water Management Program (SWMP) Requirements.**

1. *Structural Controls and Storm Water Collection System Operation:* The MS4 and any storm water structural control shall be operated in a manner to reduce the discharge of pollutants to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream.
 - a. The permittees listed in Table II.A.1.a. on pages 4 and 5 own and/or operate the structural controls identified. The maintenance activities identified for the structural controls in Table II.A.1.b. on page 6 of this permit represent suggested maintenance practices that can be implemented on an as needed basis. In addition, each shall maintain an internal record keeping system to track inspections and maintenance activities performed during the permit term. If these activities are performed by others under a contractual agreement, then the permittee shall retain copies of the contractual agreement which specifies the maintenance activities to be performed and the schedule of frequency. Inspection and maintenance records shall be retained by the permittees in accordance with Part V.G. on page 58 of this permit. Annual evaluations shall be made to assess the appropriateness of the inspection and maintenance schedule and to ensure the optimization of equipment use. A summary of the annual evaluation shall be included within each ANNUAL REPORT required under Part V.C. on page 49 of this permit.

TABLE II.A.1.a.		
PERMITTEE / LABOR SOURCE(S)	STRUCTURAL CONTROL	TOTAL NO. MAINTAINED
SARASOTA COUNTY / Prison Labor and Contract Staff	Wet Retention Areas (Maintained Lakes)	85
	Storm Water Treatment Ponds	62
	Channel Control Structures	51
	Channels	500 miles
CITY OF SARASOTA / Interlocal agreement with Sarasota County	Wet Retention Areas (Maintained Lakes)	4
	Storm Water Treatment Ponds	11
	Channels	30 miles

TABLE II.A.1.a.		
PERMITTEE / LABOR SOURCE(S)	STRUCTURAL CONTROL	TOTAL NO. MAINTAINED
CITY OF VENICE / City of Venice Parks Dept. and Maintenance Dept.	Storm Water Treatment Ponds	7
	Channels	5 miles
CITY OF NORTH PORT / Maintenance Dept.	Wet Retention Areas (Maintained Lakes)	1
	Storm Water Treatment Ponds	190
	Channel Control Structures	10
	Channels	76 miles
FDOT / Maintenance Management System	Storm Water Treatment Ponds	2

TABLE II.A.1.b. MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS			
STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Dry Retention Areas	Semi-Annually	As Needed	N Mowing and invasive plant species removal N Sediment and grass clippings removal, including proper sediment disposal N Aeration of bottom (dry/infiltration-type ponds) N Stabilization of eroded bank areas N Litter and debris removal N Back flush underdrains (where applicable)
Wet Retention Areas (Mantained Lakes)	Semi-Annually	As Needed	N Mowing and invasive plant species removal N Stabilization of eroded bank areas N Litter and debris removal
		As necessary to ensure that the depth of sediments does not exceed 1/3 of the design storage volume	N Sediment and grass clippings removal, including proper sediment disposal N Monitor sediment accumulations and remove when 1/3 of the storage volume is filled
	Every 18 Months	As Needed	N Back flush underdrains (where applicable)
Channel Control Structures	Quarterly	As Needed	N Litter and debris removal N Sediment removal with proper sediment disposal
Channels	Annually - to determine priority	As Needed	N Litter and debris removal N Mowing and invasive plant species removal N Stabilization of eroded bank areas
		5 Year Revolving Schedule	N Sediment removal with proper sediment disposal provided the original cross-section is not exceeded

1. *Structural Controls and Storm Water Collection System Operation:* (continued)
 - b. Additionally, to satisfy the requirements of this section, the permittees shall develop and implement the Storm Water Management Programs identified in Part III.A.1. on pages 21 and 22 of this permit.
2. *Areas of New Development and Significant Redevelopment:* A comprehensive master planning process (or equivalent) shall be implemented to reduce, to the MEP, the discharge of pollutants from MS4s, which receive discharges from areas of new development and significant redevelopment, after construction is completed. The master planning process shall limit the increases in the discharge of pollutants in storm water as a result of new development, and shall reduce the discharge of pollutants in storm water from redeveloped areas, and shall not cause or contribute to violations of State water quality standards of the receiving stream.
 - a. To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.2. on page 23 of this permit.
3. *Roadways:* Public streets, roads, and highways shall be operated and maintained in a manner to reduce to the MEP the discharge of pollutants and shall not cause or contribute to violations of State water quality standards of the receiving stream.
 - a. As per the schedule identified in Part III.A.3. on page 24 of this permit, the permittees shall develop and implement standard road repair practices to reduce the pollutants in storm water runoff from areas associated with road repair and maintenance. The program developed shall include practices such as limiting the amount of soil disturbance to the immediate area under repair and scheduling potential pollutant-causing routine repair work during dry seasons, when possible. The program shall establish procedures that address spill prevention, material management practices, and good housekeeping measures at all municipal equipment yards & maintenance shops that support road maintenance activities.
 - b. Additionally, to satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.3. on pages 24 and 25 of this permit.

4. *Flood Control Projects:* Water quality impacts on receiving water shall be assessed for all flood management projects identified in the basin master planning process (or comparable planning process). The feasibility of retrofitting existing structural flood control devices to provide additional pollutant removal from storm water shall be evaluated.
 - a. To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.4. on page 26 of this permit.
5. *Municipal waste treatment, storage, or disposal facilities not covered by an NPDES storm water permit:* The permittees shall implement a program to identify measures to monitor and reduce pollutants in storm water discharges from facilities that handle municipal waste, including sewage sludge.
 - a. To satisfy the requirements of this section, the permittees shall develop and implement a program to reduce pollutants in the storm water discharges from municipally-operated solid waste transfer stations, maintenance and storage yards for waste transportation fleets and equipment, publicly owned treatment works (POTWs), and sludge application and/or disposal sites which are not covered by NPDES storm water permits. This program shall be developed and implemented in accordance with the schedule identified in Part III.A.5. on page 27 of this permit. The initial phase of the program developed shall contain procedures to evaluate, inspect, and monitor these sites. Based upon the evaluations, inspections and monitoring performed, priorities and procedures for implementing control measures for pollutant reduction at these sites shall be developed. Monitoring methodology used during the initial investigative period may be relaxed from standard protocol and may be based on experience gained during actual field activities. The goal of this investigative portion is to actively identify areas within these sites with poorer quality discharges during storm events, so that those areas will be given priority when implementing control measures.
6. *Pesticide, Herbicide, and Fertilizer Application:* Each permittee shall implement controls to reduce, to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream, the discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied, by employees or contractors, to public right of ways, parks, and other municipal property. Permittees with jurisdiction over lands shall implement programs to encourage the reduction of the discharge of pollutants related to application and distribution of pesticides, herbicides, and fertilizers.
 - a. To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.6. on pages 28 and 29 of this permit.

7. *Illicit Discharges and Improper Disposal:* The permittees shall implement an ongoing program to detect and eliminate (or require the discharger to the MS4 to eliminate) illicit discharges and improper disposal into the storm sewer system.
- a. *Inspection, Ordinances, and Enforcement Measures:* Non-storm water discharges to the MS4 shall be effectively prohibited by the permittees through the use of inspections, ordinances, and enforcement. The permittees, however, may allow the following non-storm water discharges to the MS4 where they are not identified as a source of pollutants to waters of the United States:
- water line flushing;
 - landscape irrigation;
 - diverted stream flows;
 - rising ground waters;
 - uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers;
 - uncontaminated pumped ground water;
 - discharges from potable water sources;
 - foundation drains;
 - air conditioning condensate;
 - irrigation water;
 - springs;
 - water from crawl space pumps;
 - footing drains;
 - lawn watering;
 - individual residential car washing;
 - flows from riparian habitats and wetlands;
 - dechlorinated swimming pool discharges;
 - street wash waters; and
 - discharges or flows from emergency fire fighting activities.

To satisfy the requirements of this section, the permittee(s) identified in Part III.A.7.a. on pages 30 and 31 of the permit shall:

- (1) Identify those of the non-storm water discharges listed under Part II.A.7.a. (above), as well as any other non-storm water discharges, which will be allowed to be discharged to the MS4. Describe any conditions to be placed on these allowable discharges.

- (2) Enforce ordinances which prohibit illicit connections and illegal dumping into the MS4. As per the schedule in Part III.A.7.a. on page 30 of this permit (page 31 for FDOT), the permittees shall develop a random inspection program to uncover illicit connections. The program shall include a schedule for inspections and an allocation of staff and resources. A description of the enforcement procedures shall be detailed within the program developed. Because the potential for illicit discharges and improper disposal is generally higher for areas of older development, areas with many automobile-related industries, and areas with significant numbers of heavy industrial facilities, the permittees shall consider the specific land use and age of development when determining inspection priorities and inspection schedules for this program component. Facility inspections may be carried out in conjunction with other municipal programs (e.g. pretreatment inspections of industrial users, health inspections, fire inspections, etc.). The permittees shall maintain an internal log documenting the inspections performed.
- (3) Provide in the first ANNUAL REPORT, a photocopy of the signed adopted ordinance(s) identified in Table II.A.7.a.(3) below.

Table II.A.7.a.(3)	
PERMITTEE	ORDINANCE
Sarasota County	93-038
Town of Longboat Key	Chapters 33, 52, and 158.102 of the Ordinances of the Town of Longboat Key
City of Sarasota	93-3699 and Section 2-314 of the City of Sarasota Code

- (4) As per the schedule in Part III.A.7.a. on page 31 of this permit, the permittees in Table II.A.7.a.(4) shall amend the identified ordinances to change the citation for the definition of "*industrial activity*," contained within these ordinances, to 40 CFR 122.26**(b)**(14) from the incorrect citation of 40 CFR 122.26**(a)**(14).

Table II.A.7.a.(4)	
PERMITTEE	ORDINANCE
City of Sarasota	93-3699
City of North Port	93-15, Section 180-21
City of Venice	93-14, Section 9-74

- b. *Dry Weather Field Screening Program:* The permittees shall continue ongoing efforts to detect the presence of illicit connections and improper discharges to the MS4.
- (1) To satisfy the requirements of this section, the permittees shall implement a dry weather field screening program to locate and eliminate illicit discharges and improper disposal into the MS4 in accordance with the schedule provided in Part III.A.7.b. on page 32 of this permit. This program shall include the dry weather screening activities identified in Table II.A.7.b. The minimum level of effort for the field screening program shall be based upon a 0.50-mile grid system, with each grid area containing at least one field screening location. In industrial and heavy commercial areas, the minimum level of effort shall be based upon a 0.25-mile grid system, with each grid area containing at least one field screening location. Under this program, all grid areas of the MS4 must be screened once during the permit term. Some grid areas may require more than one field screening location or a more frequent inspection schedule. In lieu of the grid system, the permittees may choose to field screen at all outfalls. Follow-up activities to eliminate illicit discharges and improper disposal may be prioritized on the basis of magnitude and nature of the suspected discharge; sensitivity of the receiving water; and/or other relevant factors. Screening methodology may be modified based on experience gained during actual field screening activities. While performing field screening activities, the permittees shall collect information on outfalls and portions of the MS4 which are not mapped, and this updated information shall be entered into the database system on an ongoing basis. An internal log documenting the results of all field screening performed shall be maintained.

Table II.A.7.b.	
GRID MAP COVERING AREA SERVED BY MS4 or ALL OUTFALLS	FREQUENCY OF FIELD SCREENING
Industrial Land Use	0.25-mile Grid or All Outfalls Once / 3 years
Heavy Commercial Land Use	0.25-mile Grid or All Outfalls Once / 3 years
All Other Land Uses	0.50-mile Grid or All Outfalls Once / 5 years
Entire MS4 System	a of the Outfalls or a of the Grid Areas Screened During Permit Years Three, Four, & Five with the Entire MS4 Screened Once / 5 years

- c. *Investigation of Suspected Illicits and/or Improper Disposal:* The permittees shall develop and implement standard procedures to be followed to investigate portions of the MS4 that, based on the results of the field screen or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-storm water. Notification to EPA of any illicit connection shall be an element of the investigative standard procedures.
- (1) To satisfy the requirements of this section, the permittees identified in Part III.A.7.c. on page 32 shall develop and implement standard investigative procedures to identify and terminate the source of the illicit connection or discharge in accordance with the schedule provided. The procedures developed shall require proper training for the field personnel involved in identifying conditions that may indicate the presence of illicit discharges. Upon the verification of responsible parties, the standard procedures developed shall require the immediate cessation of improper disposal practices and the elimination of the illicit connection as expeditiously as possible. Where the elimination of an illicit connection or the submittal of an NPDES application to EPA is not possible within a specified time frame determined by the permittee, the standard procedures developed shall require that the responsible parties submit for approval a written compliance schedule for the removal of the discharge. In the interim, the permittees shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.
 - (2) To satisfy the requirements of this section, FDOT shall develop and implement standard investigative procedures to identify the source of the illicit connection or discharge to the FDOT MS4, in accordance with the schedule provided in Part III.A.7.c. on page 33 of this permit. Upon the identification of responsible parties, the standard procedures developed shall require the timely reporting of water quality violations to Florida Department of Environmental Protection (FDEP) and EPA. Until such time that the illicit connection has been eliminated or the responsible parties have submitted an NPDES application for the discharge to EPA, FDOT shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4. Where measures to minimize the discharge are not taken, the developed procedures shall consider the termination of the connecting entity's FDOT drainage connection permit.

- d. *Spill Prevention and Response:* The permittees shall implement procedures to prevent, contain, and respond to spills that may discharge into the MS4.
- (1) To satisfy the requirements of this section, the permittees shall adopt Sarasota County's *Hazardous Materials Emergency Plan*, FDOT's *Emergency Operations Procedures*, or a comparable plan and procedures which effectively mitigate potential pollutant discharges to surface waters. These documents shall be adopted in accordance with the schedule provided in Part III.A.7.d. on page 33 of this permit.
- e. *Public Notification:* The permittees shall develop and implement a program to promote, publicize, and facilitate public reporting of illicit discharges of water quality impacts associated with discharges from the MS4.
- (1) To satisfy the requirements of this section, the permittees shall develop and implement programs to facilitate public reporting of illicit discharges and improper disposal of materials into the MS4 in accordance with the schedule provided in Part III.A.7.e. on page 34 of this permit. The program shall inform the public about what to look for and how to report incidents. The program shall also enhance public awareness of the problems associated with illicit discharges and may include programs such as educating school students, using inserts in utility bills, and public service announcements in newspaper, on television, or on radio.
- f. *Oils, Toxics, and Household Hazardous Waste Control:* The permittees shall effectively prohibit the discharge or disposal of used motor vehicle fluids, household hazardous wastes, grass clippings, leaf litter, and animal wastes into the MS4.
- (1) To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.7.f. on page 35 of this permit.
- g. *Limitation of Sanitary Sewer Seepage:* The permittees shall prevent (or require the operator of the sanitary sewer to eliminate) unpermitted discharges of dry and wet weather overflows from sanitary sewers into the MS4. Each permittee shall eliminate the infiltration of seepage from sanitary sewers into the MS4.
- (1) To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part

III.A.7.g. on page 36 of this permit.

8. *Industrial and High Risk Runoff:* The permittees shall develop and implement a program to identify and control pollutants, to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream, in storm water discharges to the MS4 from the municipal landfill(s); hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge in which the permittees determine is contributing a substantial pollutant loading to the MS4.

To satisfy the two (2) requirements of this section, the permittees shall:

- a. *Identify priorities and procedures for inspections:* Identify all targeted facilities and determine priority sites in accordance with the schedule provided in Part III.A.8.a. on pages 37 and 38 of this permit. Inspection schedules and procedures for the identified facilities shall be developed and implemented. Also, the permittees shall provide a listing in each ANNUAL REPORT of additionally identified industrial facilities which discharge storm water into the MS4 which have not been previously reported. The industrial storm water discharges that must be included in this inventory fall into the eleven (11) classes of industrial activities as defined in the November 1990 regulations under 40 CFR 122.26(b)(14).
- b. *Monitoring for High Risk Industries:* Develop and implement a monitoring (or self monitoring) program for facilities identified under this section in accordance with the schedule provided in Part III.A.8.b. on page 38 of this permit. The monitoring program shall include the collection of quantitative data on the following constituents:
- any pollutants limited in an existing NPDES permit for an identified facility;
 - oil and grease;
 - chemical oxygen demand (COD);
 - pH;
 - biochemical oxygen demand, five-day (BOD₅);
 - total suspended solids (TSS);
 - total phosphorous;
 - total Kjeldahl nitrogen (TKN);
 - nitrate plus nitrite nitrogen; and
 - any information on discharges required under 40 CFR 122.21(g)(7)(iii) and (iv).

Data collected by the industrial facility to satisfy the monitoring requirements of an NPDES or State discharge permit may be used to satisfy this requirement.

Permittees may require the industrial facility to conduct self-monitoring to satisfy this requirement.

9. *Construction Site Runoff:* The permittees shall develop and implement a program to reduce the discharge of pollutants from construction sites to the MEP, and to shall not cause or contribute to violations of State water quality standards of the receiving stream.
 - a. *Site Planning and Non-structural & Structural Best Management Practices:* The permittees shall require the use and maintenance of appropriate structural and non-structural best management practices to reduce pollutants discharged to the MS4 during the time of construction.
 - (1) To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.9.a. on page 39 of this permit.
 - b. *Inspection and Enforcement:* The permittees shall develop and implement a program for inspecting construction sites and for enforcing the requirement for control measures.
 - (1) To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Programs identified in Part III.A.9.b. on pages 40 and 41 of this permit.
 - c. *Site Operator Training:* The permittees shall conduct appropriate education and training measures for construction site operators and those associated with the implementation of proper sediment & erosion control measures at construction sites.
 - (1) To satisfy the requirements of this section, the permittees shall implement the Storm Water Management Program(s) identified in Part III.A.9.c. on pages 41 and 42 of this permit.

B. Area-specific Storm Water Management Program Requirements.

**Reserved pending additional requirements which may be included as a result of State Certification of the permit.
(See Section 401 of the CWA.)**

- C. **Deadlines for Program Compliance.** Except as provided in Part III, compliance with the storm water management program shall be required 90 days from the effective date of the permit.
- D. **Roles and Responsibilities of Permittees.** The Storm Water Management Program, together with any attached interagency agreements or interagency agreements developed subsequent to the effective date of the permit, shall clearly identify the roles and responsibilities of each permittee. Following the effective date of the permit, interagency agreements developed and implemented must be included in the ANNUAL REPORT covering the permit year in which the agreement became effective.
- E. **Legal Authority.** To the extent allowed by law, each permittee shall ensure legal authority to control discharges to and from those portions the MS4 over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, permit, contract, order or inter-jurisdictional agreements between permittees with adequate existing legal authority to accomplish Items 1 - 6 below. This legal authority for FDOT may be a combination of State statutes administered and enforced by sister agencies within the State of Florida government system which have adequate existing legal authority to accomplish Items 1 - 6 below.
1. Control the contribution of pollutants to the MS4 by Storm Water Discharges Associated with Industrial Activity and the quality of storm water discharged from sites of industrial activity;
 2. Prohibit illicit discharges to the MS4;
 3. Control the discharge of spills and the dumping or disposal of materials other than storm water (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;
 4. Control through interagency or inter-jurisdictional agreements among permittees the contribution of pollutants from one portion of the MS4 to another;
 5. Require compliance with conditions in ordinances, permits, contracts or orders; and
 6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.
- F. **Storm Water Management Program Resources.** Each permittee shall provide adequate finances to implement their activities under the Storm Water Management Program. Each permittee shall also have a source of funding for implementing all other requirements included within this NPDES storm water permit.

G. Storm Water Management Program Review and Modification.

1. *Program Review:* Each permittee shall participate in an annual review of the current Storm Water Management Program (SWMP) in conjunction with preparation of the ANNUAL REPORT required under Part V.C. of the permit.
2. *Program Modification:* The permittee(s) may modify the SWMP during the life of the permit in accordance with the following procedures:
 - a. Modifications adding (but not subtracting nor replacing) components, controls, or requirements to the approved SWMP may be made by the permittee(s) at any time. A description of the modification shall be included within the subsequent ANNUAL REPORT.
 - b. Modifications replacing an ineffective or unfeasible BMP specifically identified in the SWMP with an alternate BMP may be made by the permittee(s) at any time. A description of the replacement BMP shall be included in the subsequent ANNUAL REPORT along with the following information:
 - (1) an analysis of why the former BMP was ineffective or infeasible (including cost prohibitive);
 - (2) expectations on the effectiveness of the replacement BMP; and
 - (3) an analysis of why the replacement BMP is expected to achieve the goals of the BMP which was replaced.
 - c. Modifications to adjust the schedule for maintenance activities or the frequency of inspections or monitoring identified in the SWMP may be made by the permittee(s) on an annual basis. The permittees must include in the subsequent ANNUAL REPORT a description of the schedule adjustment along with the following information:
 - (1) an analysis of why the former schedule was ineffective or infeasible;
 - (2) expectations on the effectiveness of the replacement schedule; and
 - (3) an analysis, if applicable, of why the replacement schedule will ensure the optimization of equipment use.

- d. Modifications subtracting components, controls, or requirements of the SWMP may not be made by the permittee(s) UNLESS it can be clearly demonstrated that with the elimination of this component, the SWMP will continue to achieve a reduction in pollutants to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream. In the case where this type of modification is appropriate, the permittee(s) may make the required modification and shall include in the subsequent ANNUAL REPORT a description of the component which has been eliminated along with the following information:
 - (1) an analysis of why the component was ineffective or infeasible, and
 - (2) a detailed explanation of why, with the elimination of this component, the SWMP will continue to achieve a reduction in pollutants to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream.
 - e. Modifications included within the ANNUAL REPORT shall be signed in accordance with Part VI.H. by all directly affected permittees, and shall include a certification that all affected permittees were given an opportunity to comment on proposed changes.
3. *Transfer of Ownership, Operational Authority, or Responsibility for Storm Water Management Program Implementation:* The permittee(s) shall implement the SWMP on all new areas added to their portion of the municipal separate storm sewer system (or for which they become responsible for implementation of storm water quality controls) as expeditiously as practicable. Implementation of the program in any new area shall consider the plans in the SWMP of the previous MS4 ownership.

Prior to land annexation, the permittee shall include a schedule for extending the SWMP to the annexed areas. At least 30 days prior to transfer of operational authority or responsibility for SWMP implementation, all parties shall prepare a schedule for transfer of responsibility for SWMP implementation on the affected portions of the MS4. This schedule shall be included in the ANNUAL REPORT.

PART III. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE

The permittee(s) shall comply with the following schedules for Storm Water Management Program implementation and augmentation, and for permit compliance.

A. IMPLEMENTATION AND AUGMENTATION OF STORM WATER MANAGEMENT PROGRAMS

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
1. <i>Operation and Maintenance of Structural Controls and Storm Water Collection System</i>	Sarasota County City of Sarasota City of Venice City of North Port FDOT	Perform inspections and maintenance of structural controls. Maintain an internal record keeping system to track inspections and maintenance activities performed during the permit. Conduct an annual assessment of the effectiveness of inspection & maintenance schedule and provide a summary of the assessment in each ANNUAL REPORT.	Annual Requirement
	ALL	Identify and inventory each privately-owned and maintained storm water management facility which discharges into the MS4.	Within 12 Months of the Effective Date of the Permit
		Develop a revolving inspection program for privately-owned and maintained storm water treatment systems which discharge into the MS4 to determine compliance with local permit conditions and/or local ordinances. Program developed shall include a description of the enforcement provisions for non-compliance. Following development, include a summary of the inspection program & schedule in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 12 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
		Implement revolving inspection program for privately-owned and maintained storm water treatment systems which discharge into the MS4.	Within 24 Months of the Effective Date of the Permit.
1. <i>Operation and Maintenance of Structural Controls and Storm Water Collection System</i> (continued)	Sarasota County	Complete Florida Water & Pollution Control Operators Association (FW&PCOA) course or equivalent.	5 employees / year
	ALL OTHERS except for FDOT		1 employee / permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
2. <i>Control of Discharges from Areas of New Development and Significant Redevelopment</i>	ALL except for City of North Port and FDOT	Adopt as local ordinances storm water quality treatment criteria consistent, but not necessarily similar to the State of Florida Storm Water Treatment Regulations (F.A.C. 40D-4, 40D-40, 62-25).	Prior to the end of the Permit Term
	FDOT	Employ new FDOT Drainage Connection Permit requirements which include a "certification of water quality" to be provided by the connecting entity.	Effective Date of Permit
	ALL except for FDOT	Continue on the current schedule to perform master basin studies on the major watersheds identified in Table 1 on page 4A-34 of Appendix A. Develop a course of action for each as they are completed. Include in each ANNUAL REPORT a brief summary of each basin study completed during the permit year and the resulting course of action.	Effective Date of the Permit
	ALL except for City of North Port and FDOT	Evaluate land development practices to reduce the amount of impervious surfaces in future development. After completing the evaluation, include a summary of the resulting course of action in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 36 Months of the Effective Date of Permit
		Implement appropriate land development practices & incentives for the reduction of impervious surfaces.	As Determined by the Evaluation - Prior to the end of the Permit Term

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
3. <i>Operation and Maintenance of Public Streets, Roads, and Highways</i>	Sarasota County City of Sarasota City of Venice	Provide a description of the municipally-operated Litter Control Program(s) for highways and streets within jurisdictional area for incorporation into the permit.	Provide in First ANNUAL REPORT
	ALL except for City of North Port and FDOT	Implement Litter Control Program(s) for highways and streets within jurisdictional area and properly dispose of collected material.	Effective Date of the Permit
	FDOT	Implement Litter Control Program for highways and streets within jurisdictional area and properly dispose of collected material. Report in each ANNUAL REPORT the approximate frequency of litter collection services performed under contractual agreements during the permit year.	Effective Date of the Permit
	ALL except for North Port WCD City of North Port & FDOT	Implement street sweeping program within jurisdictional area and properly dispose of collected material.	Effective Date of the Permit
	FDOT	Implement street sweeping program within jurisdictional area and properly dispose of collected material. Report in each ANNUAL REPORT the approximate frequency of street sweeping services performed under contractual agreements during the permit year.	
	Sarasota County	Provide the maintenance schedule for storm water structures (i.e., catch basins) and roadside ditches.	Provide in First ANNUAL REPORT

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
3. <i>Operation and Maintenance of Public Streets, Roads, and Highways</i> (continued)	ALL	Perform scheduled maintenance on catch basins, grates, and other storm water structures and roadside ditches and properly dispose of accumulated sediments. Maintain an internal log documenting maintenance activities.	Effective Date of the Permit
	ALL except for City of North Port	As described in Part II.3.a. on page <u>7</u> of the permit, develop practices to reduce to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream regarding the pollutants from road repair and from all municipal equipment yards & maintenance shops. After development, include a summary of the practices in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 12 months of the Effective Date of the Permit
		Implement developed practices to reduce to the MEP pollutants from road repair and municipal yards.	Within 24 months of the Effective Date of the Permit
	FDOT	Coordinate the "Adopt A Highway" program for local organizations to be identified with specific highway cleanup and beautification projects.	Within 24 months of the Effective Date of the Permit
		Conduct annual routine inspections of each FDOT maintenance facility to ensure that BMPs are operational. The FDOT NPDES Coordinator or his/her representative shall perform this activity.	

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
4. <i>Ensure Flood Control Projects Comply With State Storm Water Quality Requirements</i>	ALL except for FDOT	Develop a priority list and construction schedule for the retrofit projects recommended by the master basin studies completed to date.	Within 12 Months of the Effective Date of the Permit
		Include a copy of the prioritized project list and construction schedule in the ANNUAL REPORT for incorporation into the permit. Provide updates to this list in future ANNUAL REPORTS as additional master basin studies are completed.	
	FDOT	Present a retrofitting program to the local Metropolitan Planning Organizations (MPO) for consideration which focuses on water quality improvement.	Within 12 Months of the Effective Date of the Permit
		Submit within the ANNUAL REPORT the list of approved retrofit projects in the MPO's work program for District One. Also provide the construction schedule for these approved projects. Provide updates to this list in future ANNUAL REPORTS as additional projects are approved.	Within 24 Months of the Effective Date of the Permit
		Begin retrofit priority projects as per the construction schedule in the approved work program for District One.	

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
5. <i>Identification, Monitoring, and Control of Discharges from Municipal Waste Treatment, Storage, or Disposal Facilities not covered by an NPDES Storm Water Permit</i>	Sarasota County City of Sarasota City of North Port	Develop program to evaluate, through inspections and monitoring, the municipally-operated solid waste transfer station(s), maintenance and storage yards for waste transportation fleets, POTWs, and sludge application and/or disposal sites. The goals of the evaluation program shall be to identify these facilities, determine the necessary control measures & procedures to be employed at each, and administer an appropriate implementation schedule. After developing the evaluation program, submit a program summary in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 30 Months of the Effective Date of the Permit
		Implement developed program to reduce pollutants in storm water discharges to the MEP and shall not cause or contribute to violations of State water quality standards of the receiving stream from these facilities.	Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
6. <i>Control of Pollutants Related to Application of Pesticides, Herbicides, and Fertilizers</i>	ALL	Provide the details, for incorporation into the permit, of the specific public education program(s) designed to encourage the public to reduce their use of pesticides, herbicides and fertilizers.	Provide in First ANNUAL REPORT
		Implement public education program(s).	Effective Date of the Permit
	ALL except for FDOT	Evaluate current training requirements & certification procedures for employees who handle pesticides, herbicides and fertilizers. After completing the evaluation, include a summary of the results in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
		Implement any revised procedures for the training & certification of these employees.	As Necessary - Within 36 Months of the Effective Date of the Permit
	ALL	Require evidence of proper certification and licensing for all applicators contracted to apply pesticides, herbicides, and fertilizers on municipal and FDOT property.	Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
6. <i>Control of Pollutants Related to Application of Pesticides, Herbicides, and Fertilizers</i> (continued)	ALL except for FDOT	Develop a program with procedures to minimize the use of pesticides, herbicides, and fertilizers and to properly store and mix these products. The program developed should also consider including components such as providing xeriscape planning assistance and promoting voluntary use of native Florida plantings and slow-release fertilizers. After development, include a summary of the procedures in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
	ALL except for FDOT	Employ program procedures to minimize the use of pesticides, herbicides, and fertilizers and to properly store and mix these products.	Within 36 Months of the Effective Date of the Permit
	FDOT		Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i>			
a.) <i>Inspections, ordinances, and enforcement measures</i>	ALL except for City of North Port and FDOT	Complete the assessment of non-storm water discharges allowed to be discharged to the MS4 as detailed on page <u>9</u> of the permit. After completing the assessment, include a summary of the results in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 18 Months of the Effective Date of the Permit
	ALL except for City of North Port and FDOT	Develop an inspection program to enforce ordinances which prohibit illicit connections and illegal dumping into the MS4. After development, include a summary of the inspection program in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 30 Months of the Effective Date of the Permit
	Sarasota County	Implement inspection program to enforce ordinances which prohibit illicit connections and illegal dumping into the MS4. Maintain an internal log documenting inspections and enforcement actions performed and provide a summary of these reports in each ANNUAL REPORT.	Within 36 Months of the Effective Date of the Permit
	ALL OTHERS except for City of North Port and FDOT		Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i>			
a.) <i>Inspections, ordinances, and enforcement measures</i> (continued)	FDOT	Develop a program to inspect drainage connections after project completion to ensure continued compliance with drainage connection permit requirements and to ensure that no illicit or non-permitted connections have been made. In cases where another regulatory agency requires a periodic certification of compliance, the program developed may allow FDOT to accept this certification of compliance in lieu of further inspections by FDOT. After development, include a summary of the inspection program in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 21 Months of the Effective Date of the Permit
		Implement developed program to inspect drainage connections after project completion. Maintain an internal log documenting inspections and enforcement actions performed and provide a summary of these records in each ANNUAL REPORT.	Within 30 Months of the Effective Date of the Permit
	Sarasota County Longboat Key City of Sarasota	Provide photocopies of signed adopted storm water ordinances as identified in Table II.A.7.a.(3) on page <u>10</u> of the permit.	Provide in First ANNUAL REPORT
	City of North Port City of Sarasota City of Venice	Amend ordinances as identified in Table II.A.7.a.(4) on page <u>11</u> of the permit to reflect correct citation for "industrial activity" {40 CFR 122.26(b)(14)} Include a copy of the amended ordinances in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 12 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i> (continued)			
b.) <i>Field Screening</i>	ALL	<p>Conduct field screening of the MS4 for illicit discharges and improper disposal as shown in Table II.A.7.b. on page <u>12</u> of this permit.</p> <p>Collect inventory information on outfalls and on portions of MS4 not mapped and update database system on an ongoing basis.</p> <p>Maintain an internal log documenting the results of all field screening performed.</p>	<p>At least a of Grid Areas Screened in Permit Years Three, Four and Five with Entire MS4 Screened Once / 5 years</p>
c.) <i>Investigation of Suspected Illicits and/or Improper Disposal</i>	ALL except for FDOT	<p>Develop standard investigative procedures to identify and terminate the source(s) of illicit connections or discharges to the MS4.</p> <p>After development, include a summary of the investigative procedures in the subsequent ANNUAL REPORT for incorporation into the permit.</p>	Within 24 Months of the Effective Date of the Permit
		<p>Implement standard investigative procedures to identify and terminate the source(s) of illicit connections or discharges to the MS4.</p>	Within 30 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i> (continued)			
c.) <i>Investigation of Suspected Illicits and/or Improper Disposal</i> (continued)	FDOT	Develop standard investigative procedures to identify and report the source(s) of illicit connections or discharges. These procedures shall include notification to FDEP and EPA of illicit connections. After development, include a summary of the investigative procedures in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
		Implement standard investigative procedures to identify the sources(s) of illicit connections or discharges to the MS4.	Within 30 Months of the Effective Date of the Permit
d.) <i>Spill Prevention and Response</i>	Sarasota County FDOT	Provide a copy of the applicable portions of Sarasota County's <i>Hazardous Materials Emergency Plan</i> and FDOT's <i>Emergency Operations Procedures</i> which effectively mitigate potential pollutant discharges to surface waters.	Provide in First Annual Report
	ALL except for Sarasota County and FDOT	Adopt Sarasota County's <i>Hazardous Materials Emergency Plan</i> , FDOT's <i>Emergency Operations Procedures</i> , or a comparable plan and procedures which effectively mitigate potential pollutant discharges to surface waters.	Within 12 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i> (continued)			
e.) <i>Public Notification</i>	ALL	Develop a program to promote, publicize, and facilitate public reporting of the presence of illicit discharges and improper disposal of materials into the MS4.	Within 30 Months of the Effective Date of the Permit
		After development, include a summary of the public program in the subsequent ANNUAL REPORT for incorporation into the permit.	
		Implement public reporting program.	Within 36 Months of the Effective Date of the Permit
		Maintain a citizen complaint log documenting all reports of illicit discharges and what actions were taken to investigate and resolve the problem. Include a summary of this log in each ANNUAL REPORT.	Within 36 Months of the Effective Date of the Permit
	FDOT	Establish a direct dial local telephone number at the District Office to be used for the reporting of illicit connections, accidental spills, illegal dumping, or other water quality violations and action as needed. This requirement may be satisfied through cooperative efforts with other permittees.	Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i> (continued)			
f.) <i>Oils, Toxics, and Household Hazardous Waste Control</i>	ALL except for FDOT	Support and promote on a regular basis the six (6) oil recycling site locations within Sarasota County and the two (2) permanent collection centers for household hazardous waste materials. Continue Amnesty Days program. Document the total annual amount of household hazardous waste materials collected.	Effective date of Permit
		Actively promote and support a voluntary stenciling program for all storm sewer inlets which discharge directly or indirectly into surface waters.	Within 12 Months of the Effective Date of the Permit
	FDOT	With each FDOT Drainage Connection Permit, include information on used oil recycling, proper hazardous waste disposal, storm water regulations, and spill reporting.	Within 12 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
7. <i>Illicit Discharges and Improper Disposal</i> (continued)			
g.) <i>Limitation of Sanitary Sewer Seepage</i>	ALL except for City of North Port and FDOT	Develop procedures to limit the infiltration of sanitary seepage into the MS4, in areas where wastewater infiltration is suspected.	Within 30 Months of the Effective Date of the Permit
		After development, include a summary of the procedures in the subsequent ANNUAL REPORT for incorporation into the permit.	
		Implement developed procedures to limit the infiltration of sanitary seepage into the MS4.	Within 36 Months of the Effective Date of the Permit
	ALL	Advise appropriate utility owner of violation if constituents common to wastewater contamination are discovered in the MS4 during dry weather field screening.	Effective Date of the Permit
		Identify areas served by septic tanks. Advise appropriate State Agency of violation if constituents common to wastewater contamination due to malfunctioning septic tank systems are discovered in the MS4 during dry weather field screening.	Within 12 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
8. <i>Industrial and High Risk Runoff</i>			
a.) <i>Identification of Priorities and Procedures for Inspections</i>	ALL	Develop an inventory of all existing high risk facilities discharging into the MS4. This inventory shall identify the outfall and surface waterbody into which each high risk facility drains.	Within 24 Months of the Effective Date of the Permit
		Based upon historical information and available monitoring & screening data, prioritize the identified high risk facilities.	Within 24 Months of the Effective Date of the Permit
	ALL except for FDOT	Develop procedures for inspecting high risk facilities and establish an inspection schedule. After development, include a summary of the procedures & inspection schedule in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
	FDOT	Develop procedures for the inspection of high risk facilities which hold FDOT drainage connection permits to ensure compliance with permit requirements. In cases where another regulatory agency requires a periodic certification of compliance, the program developed may allow FDOT to accept this certification of compliance in lieu of further inspections by FDOT. After development, include a summary of the procedures & inspection schedule in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
	ALL	Begin inspections of identified high risk facilities. Maintain an internal log documenting the results of the inspections performed.	Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
8. <i>Industrial and High Risk Runoff</i> (continued)			
a.) <i>Identification of Priorities and Procedures for Inspections</i> (continued)	ALL	Maintain a list of all industrial storm water sources discharging to MS4 & update in ANNUAL REPORTS.	Effective Date of the Permit
b.) <i>Monitoring for High Risk Industries</i>	ALL except for FDOT	Develop a monitoring (or self monitoring) program for high risk industrial facilities. Include a description of the specific enforcement steps to be taken to require compliance with local storm water ordinances if violations are identified. After development, include a summary of the monitoring program in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
	FDOT	Develop a monitoring (or self monitoring) program for high risk industrial facilities which hold FDOT drainage connection permits. Include a description of the specific enforcement steps to be taken to require compliance with permit conditions if violations are identified. After development, include a summary of the monitoring program in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
	ALL	Implement the monitoring program for high risk industrial facilities.	Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
9. <i>Construction Site Runoff</i>			
a.) <i>Site Planning & Structural and Non-structural Controls</i>	ALL except for City of North Port and FDOT	Review erosion and sediment control requirements to determine modifications necessary to correlate with SWFWMD's requirements and EPA's NPDES Construction Activity General Permit.	Within 12 Months of the Effective Date of the Permit
		Summarize the necessary modifications in the subsequent ANNUAL REPORT for incorporation into the permit.	
		Incorporate necessary modifications to the erosion and sediment control requirements.	Within 36 Months of the Effective Date of the Permit
		In land development regulations, incorporate guidelines and recommendations for reducing the amount of sediment leaving construction sites.	Within 36 Months of the Effective Date of the Permit
		Track construction projects required to install erosion and sediment controls. Document the installation, maintenance, and effectiveness of the controls. Integrate these records with the education program for training the site contractors.	Within 18 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
	FDOT	Employ new FDOT Drainage Connection Permit requirements which direct connecting entities subject to the NPDES storm water regulations to submit a copy of their NPDES Storm Water Pollution Prevention Plan to FDOT.	Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
9. <i>Construction Site Runoff</i> (continued)			
b.) <i>Inspection and Enforcement</i>	ALL except for City of North Port and FDOT	Review existing inspection policies and code enforcement programs to first identify all agencies conducting site inspections and then to determine which agency is responsible for issuing enforcement actions for which code violations.	Within 24 Months of the Effective Date of the Permit
		Summarize results and include in the subsequent ANNUAL REPORT for incorporation into the permit.	
		Train inspectors (regardless of specialty) who are likely to be on-site during earth moving activities in erosion control techniques.	1 Inspector / Year
	ALL except for City of North Port	Implement the use of an erosion & sediment control checklist for all inspectors. Include verification that construction sites subject to the NPDES Storm Water Regulations have NPDES permit coverage and a Storm Water Pollution Prevention Plan on site.	Within 24 Months of the Effective Date of the Permit
		Include developed checklist in the subsequent ANNUAL REPORT for incorporation into the permit.	
	ALL except for City of North Port	Develop a program to inspect construction projects for compliance with local storm water ordinances and/or local permits.	Within 24 Months of the Effective Date of the Permit
	ALL except for City of North Port and FDOT	Implement program developed to inspect construction projects for compliance with local storm water ordinances and/or local permits.	Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
9. <i>Construction Site Runoff</i> (continued)			
b.) <i>Inspection and Enforcement</i> (continued)	FDOT	Implement program developed to inspect construction projects that propose to directly discharge storm water to the FDOT MS4 and have been granted an FDOT drainage connection permit for compliance with FDOT permit conditions. Require connection entities, who are found or suspected of discharging storm water of unacceptable quality during or following construction, to sample and test the discharge to prove compliance with FDOT permit conditions.	Within 36 Months of the Effective Date of the Permit
c.) <i>Site Operator Training</i>	ALL except for City of North Port and FDOT	Implement an annual NPDES workshop for design professionals, land developers, inspectors and contractors, including earth moving contractors. Topics to include are measures to reduce pollutants from sites, awareness of the NPDES program requirements for construction activities, and solutions to erosion and sediment problems commonly found by the inspectors during construction.	Within 24 Months of the Effective Date of the Permit
		Evaluate the feasibility of an erosion & sediment control certification program for construction site operators (contractors and developers), plan reviewers, and inspectors that work on sites that discharge to the MS4. Upon conclusion of the evaluation, include a summary of the findings in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 30 Months of the Effective Date of the Permit
		If certification program is deemed feasible, implement program for construction site operators, plan reviewers, and inspectors.	If Deemed Feasible - Within 36 Months of the Effective Date of the Permit

STORM WATER MANAGEMENT PROGRAM	PERMITTEE(S)	ACTIVITY	DATE DUE / FREQUENCY
c.) <i>Site Operator Training</i> (continued)	ALL except for City of North Port and FDOT	Develop a procedure to notify building permit applicants in developments which, because of the amount of land area disturbed, are subject to the NPDES storm water regulations of their application responsibilities under the NPDES permitting program for construction site runoff. After development, include a summary of procedures in the subsequent ANNUAL REPORT for incorporation into the permit.	Within 24 Months of the Effective Date of the Permit
		Implement developed procedures to notify building permit applicants in developments which, because of amount of land area disturbed, are subject to the NPDES storm water regulations of their application responsibilities under the NPDES permitting program for construction site runoff.	Within 30 Months of the Effective Date of the Permit
		Conduct presentations to local professional organizations which are associated with the construction industry to discuss proper construction site management for water quality.	Ongoing

B. COMPLIANCE WITH EFFLUENT LIMITATIONS.

NONE

PART IV. NUMERIC EFFLUENT LIMITATIONS

NONE

PART V. MONITORING AND REPORTING REQUIREMENTS

A. Seasonal Loadings and Event Mean Concentrations.

1. As per 40 CFR 122.26(d)(2)(iii)(C), the permittees shall provide estimates of the seasonal pollutant load and of the event mean concentration of a representative storm for the parameters listed in Table V.A.1. for each "major outfall" within the MS4. These constituents were detected in the sampling data reported in the Part 2 application. The location of all known major outfalls shall be inventoried in the ANNUAL REPORT for Year One of the permit, with updates describing any additionally identified major outfalls in each sequent ANNUAL REPORT. The seasonal pollutant load and event mean concentration for each major outfall may be estimated from the representative monitoring locations, from regional NURP or State data, or from pooling results from other nearby Florida MS4 monitoring activities and shall take into consideration land uses and drainage areas for the outfall. The estimates of seasonal loadings and event mean concentrations shall be included in the ANNUAL REPORT for Year Four of the permit. For the purposes of this permit, a "major outfall" is defined as follows:
 - a pipe (or closed conveyance) system with a cross-sectional area equal to or greater than 7.07 square feet (e.g., if a single circular pipe system, an inside diameter of 36 inches or greater);
 - a single conveyance other than a pipe, such as an open channel ditch, which is associated with a drainage area of more than 50 acres;
 - a pipe (or closed conveyance) system, draining "*industrial land use*," with a cross-sectional area equal to or greater than 0.79 square feet (e.g., if a single circular pipe system, an inside diameter of 12 inches or greater); or
 - a single conveyance other than a pipe, such as an open channel ditch, which is associated with an "*industrial land use*" drainage area of more than 2 acres;

TABLE V.A.1.	
PARAMETERS	
Biochemical Oxygen Demand (BOD ₅) (mg/l)	Oil & Grease (mg/l)
Chemical Oxygen Demand (COD) (mg/l)	Total Recoverable Cadmium (mg/l)
Total Suspended Solids (TSS) (mg/l)	Total Recoverable Chromium (mg/l)
Total Dissolved Solids (TDS) (mg/l)	Total Recoverable Copper (mg/l)
Total Kjeldahl Nitrogen (as N) (mg/l)	Total Recoverable Lead (mg/l)
Nitrate plus Nitrite (as N) (mg/l)	Total Recoverable Zinc (mg/l)
Total Phosphorus (mg/l)	Dissolved Phosphorus (mg/l)

2. The permittees listed in Table V.A.2. below shall conduct an investigation of the identified drainage basins to determine the sources of the following organic pollutants detected in the Part 2 application sampling data. A report summarizing the conclusions of this investigation shall be included in the ANNUAL REPORT for Year Three of the permit.

TABLE V.A.2.		
PARAMETERS	BASIN	PERMITTEE(S)
Benezo(a)anthracene	Indian Ave. - Site #5	City of Venice
Benezo(k)fluoranthene	Indian Ave. - Site #5	City of Venice
3,4-Benzofluoranthene	East Ave. - Site #2	City of Sarasota
	Indian Ave. - Site #5	City of Venice
Bis(2-ethylhexyl)phthalate	Longboat Key - Site #1	Longboat Key
	East Ave. - Site #2	City of Sarasota
	Indian Ave. - Site #5	City of Venice
	Richardson Rd. - Site #3	Sarasota County
Chrysene	East Ave. - Site #2	City of Sarasota
	Indian Ave. - Site #5	City of Venice
4,4'-DDE	East Ave. - Site #2	City of Sarasota
	Indian Ave. - Site #5	City of Venice

B. Monitoring Data Collection. According to the agreements established between permittees, the following monitoring program shall be developed and implemented:

1. *Monitoring:* Establish local monitoring stations in conjunction with the State of Florida's *Surface Water Ambient Monitoring Program*. (See definition of the *Surface Water Ambient Monitoring Program* in Part VIII for description of program goals and monitoring strategies.) The selection of the monitoring stations shall be the result of a cooperative effort between the permittees, EPA, and the Bureau of Surface Water Management, Florida Department of Environmental Protection (FDEP). Acceptance of the monitoring program components proposed by the permittees in the July 23, 1993, Part 2 application submittal shall be explored before any alternative monitoring programs are introduced. The number of monitoring stations as well as the type of sampling performed shall be established in accordance with the following:
 - a.) The costs associated with the monitoring program developed shall not exceed the projected costs for the monitoring program proposed by the permittees in the July 23, 1993, Part 2 application submittal.
 - b.) The monitoring program developed shall assist in determining the impact of storm water discharges on receiving waters located in the geographical area covered by this permit.
 - c.) The monitoring program developed shall assist in determining the effectiveness of the storm water management programs being implemented under this permit and shall assist in identifying and prioritizing portions of the MS4 requiring additional controls.
 - d.) The monitoring program developed shall be designed to help identify local sources and impacts of specific pollutants considered a problem in the geographic area covered by this permit. Once the source and the impacts are identified, these pollutants may be more effectively reduced or eliminated.
 - e.) The selection of the monitoring stations and sampling program schedule shall be agreed upon by the permittees and the Bureau of Surface Water Management, FDEP and EPA. The monitoring program developed shall be implemented by the permittees within 24 months of the effective date of this permit or within 12 months of the date of program development, whichever is later. The details of the monitoring program shall be submitted to EPA in the subsequent ANNUAL REPORT; status reports shall be given in any Annual Reports prior to this one.

It is the intent of EPA to use the monitoring information collected to evaluate any trends in the reduction in pollutant loads discharged to waters of the U.S during the term of the permit. The pollutant loading trends will be used to evaluate the effectiveness of the permittees' Storm Water Management Program to reduce the discharge of pollutants to the MEP and to shall not cause or contribute to violations of State water quality standards of the receiving stream.

2. *Monitoring Data:* For Part V.B.1., records shall be maintained of all analytical results. Additionally, for the monitoring program developed under Part V.B.1. which involves storm event sampling, the records maintained shall include: the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches or centimeters) of the storm event which generated the sampled runoff; the duration (in hours) between the storm event sampled and the end of the previous measurable (greater than 0.1 inch or 0.25 centimeter rainfall) storm event; and an estimate of the total volume (in gallons or liters) of the discharge sampled.
3. *Sample Analysis:* All samples collected for Part V.B.1. shall be analyzed in accordance with the methods specified at 40 CFR Part 136.
4. *Sampling Waiver.* When a discharger is unable to collect samples required by Part V.B.1. due to adverse climatic conditions, the discharger must submit in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, etc.).

- C. **Annual Report.** Each permittee shall contribute to the preparation of an annual system-wide report to be submitted by no later than six months following the period covered by the report. The ANNUAL REPORT shall cover the 12 month period beginning on the effective date of this permit and annually thereafter.

The preparation and submittal of a system-wide ANNUAL REPORT shall be coordinated by a "committee." The "committee" shall include a member or designated representative from each municipal entity covered by this permit. Each permittee shall be individually responsible for providing information on the portions of the MS4 for which they are the operator and for providing information for the system-wide report in a timely manner. Joint responsibility for the ANNUAL REPORT submission shall be limited to the following: (1) participation in preparation of the overview for the entire system; and (2) inclusion of the identity of any permittee who failed to provide input to the report. Each permittee shall sign and certify the ANNUAL REPORT in accordance with Part VI.H. & VI.I. of this permit, and shall include a statement or resolution that the permittee's governing body or agency (or delegated

representative) has reviewed or has been appraised of the content of the ANNUAL REPORT.

The ANNUAL REPORT shall include the following sections:

- Contacts List
- SWMP Evaluation
- Summary Table
- Narrative Report
- Monitoring Section
- Summary of SWMP and Monitoring Modifications
- Fiscal Analysis
- FDOT District Report
- Appendices

The following items describe in more detail the specific requirements for the ANNUAL REPORT.

1. Provide a list of contacts and responsible parties (e.g.: agency, name, phone number) who had input to and are responsible for the preparation of the ANNUAL REPORT.
2. Provide an overall evaluation of the Storm Water Management Program including: Objective of Program; Major Findings (e.g.: water quality improvements or degradation); Major Accomplishments; Overall Program Strengths / Weaknesses; and Future Direction of Program.
3. Provide a Summary Table of Storm Water Management Program Elements.
 - a. A Summary Table of appropriate SWMP annual activities for each permittee shall be provided. The purpose of the Summary Table is to document in a concise form the program activities and permittees' compliance status with quantifiable permit requirements. Program elements that are administrative (e.g.: planning procedures, program development and pilot studies) are inappropriate for the summary table and shall be discussed in the narrative section of the ANNUAL REPORT. The following are examples of SWMP activities to be included in the Summary Table:
 - (1) Structural Controls - maintenance and/or inspection activities of existing structural controls
 - (2) Roadway Maintenance - street sweeping, litter control activities, and maintenance on storm water structures & roadside ditches
 - (3) Municipal Waste TSD Facilities - inspections, monitoring, and implementation of control measures

- (4) Pesticide, Herbicide, and Fertilizer Application - certification training and public education
- (5) Illicits - facility inspections, investigations, enforcement actions, illicit (dry weather) screening, illicit public reporting, oil/household hazardous waste collection, and storm sewer inlet stencilling
- (6) High Risk Industrial Facilities - inspection activities and monitoring
- (7) Construction - training of inspectors, certification of construction site operators, inspections, and enforcement actions
- (8) Storm Water Treatment Projects - description of municipal storm water treatment projects that have been completed, including a brief description of the affected drainage basin

b. The Summary Table shall indicate each permittee's SWMP activities and accomplishments. The format for this information shall adhere to the example shown in Table V.C.1. on page 55. Items to be reported include:

- (1) Activity description;
- (2) Number of activities (with frequency) that were scheduled for implementation and/or accomplishment in program element discussion (i.e., once/6 months, 100%/5 years, 6 sites monitored once/year, all sites inspected/permit term). Enter "Not Applicable" (N/A) if no specific schedule was specified;
- (3) Status of schedule for year ("yes" for schedule was adhered to, or "no" for schedule was not adhered to);
- (4) Number of activities which were accomplished; and
- (5) The availability of documentation (i.e., inspection reports) for those activities which were accomplished and comments describing the reason(s) for any non-compliance.

4. The ANNUAL REPORT shall contain a Narrative Report to succinctly discuss the SWMP Elements which were not included within the SWMP Summary Table. Those SWMP Elements required to be developed under Parts II and III of the permit shall be discussed within this section of the ANNUAL REPORT following development.

a. The permittees shall include a brief discussion of the following applicable SWMP Elements:

- (1) Structural Controls Maintenance
- (2) Development Planning Procedures
- (3) Roadway Maintenance
- (4) Flood Management
- (5) Municipal Facilities
- (6) Pesticides, Herbicides, and Fertilizers
- (7) Illicits Inspection/Investigation/Enforcement
- (8) Field Screening
- (9) Spill Response
- (10) Public Reporting of Illicit Discharges
- (11) Oil and Household Hazardous Waste
- (12) Sanitary Sewer Seepage
- (13) High Risk Industrial Facility Inspection
- (14) Construction Planing Procedures
- (15) Construction Inspections
- (14) Education Activities
- (15) Monitoring Activities
- (16) Any additional elements of Storm Water Management Program

- b. The format for the Narrative Report section of the ANNUAL REPORT shall be a brief discussion of the SWMP Element. The aspects of each permittee's activities concerning a SWMP Element shall be succinctly discussed in the section of the Narrative Report dedicated to that Element. The discussion shall include the following:

- (1) Objective of SWMP Element,
- (2) SWMP Element activities completed and those in progress,
- (3) General discussion of Element. Explanation of all Element activity deficiencies (e.g.: activities described in the program that have not been fully implemented or completed). Results of activities shall be summarized and discussed (e.g.: maintenance caused by inspection, pollutants detected by monitoring, investigations as a result of dry and wet weather screening, number and nature of enforcement items, education activities participation),
- (4) Status of SWMP Element with compliance, implementation, and augmentation schedules in Part III of the permit,

- (5) SWMP Element strengths and weaknesses,
 - (6) Assessment of controls, and
 - (7) Discussion of Element revisions that are summarized elsewhere in the ANNUAL REPORT.
5. The ANNUAL REPORT shall contain a Monitoring Section which discusses the progress and results of the monitoring programs required under Part V of the permit.
 - a. The Monitoring Section of the ANNUAL REPORT shall include a summary of the monitoring program developed and implemented under Part V.B.1. of the permit. The details to be discussed include:
 - (1) Brief summary statement of the objective of each monitoring project included under the program,
 - (2) Summary chart of the data from the monitoring completed,
 - (3) Discussion of any results or conclusions derived from the monitoring completed,
 - (4) Status of monitoring with respect to the compliance schedule in Part V.B.1. of the permit, and
 - (5) Discussion of monitoring program revisions that are summarized elsewhere in the ANNUAL REPORT.
 - b. The Monitoring Section of the ANNUAL REPORT shall include the following information as required in Part V.A. of the permit:
 - (1) The ANNUAL REPORT for Year One of the permit shall contain an inventory of all known major outfalls, with updates describing additionally identified major outfall in each sequent ANNUAL REPORT.
 - (2) The ANNUAL REPORT for Year Three of the permit shall include the investigation of the sources of the organic pollutants detected in the Part 2 application sampling data as required in Part V.A.2. of the permit.
 - (3) The ANNUAL REPORT for Year Four of the permit shall include estimates of seasonal pollutant loadings and event mean concentrations (EMC) for each major outfall required by Part V.A.1.

6. Provide a summary of SWMP and Monitoring Modifications made during the permit year.
7. Provide a complete fiscal analysis for each permittee's program implementation, both for the past calendar year and the next. The analysis shall indicate budgets and funding sources.
8. FDOT shall report on the status of the FDOT statewide Storm Water Management Program elements as shown in Table V.C.8.a. on page 56 and shall indicate whether the resulting program modifications have been implemented at the District Office. In addition, FDOT shall also indicate the number of District employees included in the training courses described in Table V.C.8.b. on page 57.
9. The following information shall be included as Appendices within the ANNUAL REPORT for Year Five of the permit:
 - a. Analytical data collected from the monitoring program.
 - b. Results of illicit connections screening or dry weather screening.
 - c. Any other data specifically requested by EPA to substantiate statements and conclusions reached in the ANNUAL REPORTS.

Table **V.C.1.** - EXAMPLE Summary Table for Storm Water Management Program Element Status/Compliance (EXAMPLE ONLY)

PROGRAM ELEMENT	PERMITTEE	REQUIREMENT	ACTIVITY SCHEDULE			COMMENTS
			Activities Required by SWMP	Complied with	Activities Accomplished during calendar year	
Structural Controls	Permittee 1	Major Channels Inspected	15 Channels, once/6 mos.	YES	15 Channels, once/6 mos	Copies of Inspection Report Forms - Available Upon Request
		Major Channels Maintained	As needed	N/A	7 Channels maintained	
		Grate Inlets Inspected	1500 Inlets, once/year	NO	1000 Inlets	Ambitious projection. Reducing to 1000 next year due to resources.
	Permittee 2	Detention Ponds Maintained	1 Pond, once/month	YES	1 Pond once/month	Sediment removed after spring rains.
		Storm Drain Inlets Inspected	35 Inlets, once/6 mos.	YES	35 Inlets once/6 mos.	Copies of Inspection Report Forms - Available Upon Request
Monitoring	Permittee 1	Municipal - Landfills POTW	2 Facilities, once/6 mos.	YES	2 Facilities once/6 mos.	Copies of Monitoring Data - Available Upon Request
			3 Facilities, once/year	NO	2 Facilities	Copies of Monitoring Data - Available Upon Request
		Industrial - Hazardous Title III	5 Facilities, once/6 mos.	YES	5 Facilities, once/6 mos.	Copies of Monitoring Data - Available Upon Request
			3 Facilities, once/6 mos.	YES	3 Facilities, once/6 mos.	Copies of Monitoring Data - Available Upon Request
		Others	2 Facilities, once/year	YES	2 Facilities	Copies of Monitoring Data - Available Upon Request
			Dry Weather Screening	100% system, once/5 yrs.	20% system	Copies of Screening Field Reports - Appendix B.
		Floatable Assessment	100 sections surveyed/yr.	YES	140 sections surveyed	Copies of Field Survey - Available Upon Request

Table V.C.8.a. - Table for FDOT Statewide Storm Water Management Program Element Status

FDOT STATEWIDE STORM WATER MANAGEMENT PROGRAM ELEMENT (To Be Conducted at State Office)	ACTIVITY ACCOMPLISHED DURING THE PERMIT YEAR?	DESCRIPTION OF RESULTING PROGRAM MODIFICATIONS	PROGRAM POLICY INCORPORATED AT DISTRICT OFFICE?
Evaluate the feasibility of the FDOT drainage connection permit becoming an operating permit requiring long-term storm water facility management by the connecting entity.	YES / NO (If no, list anticipated completion date)		YES / NO (If no, list reason and/or anticipated implementation date.)
Add information specific to storm water runoff protection and reduction of chemical usage to the FDOT's <i>Turf Management Manual</i> and <i>Chemical Weed and Grass Control Manual</i> .	YES / NO (If no, list anticipated completion date)		YES / NO (If no, list reason and/or anticipated implementation date.)
Evaluate, on an ongoing basis, innovative structural and non-structural BMPs and new technologies as they evolve to determine their efficiency and cost effectiveness in the field. Comment on those which are found suitable & adopted for use in FDOT projects in the District.	ONGOING ACTIVITY		Describe new BMPs adopted for use in the District.
Identify those of the non-storm water discharges listed under Part II.A.7.a. on page <u>9</u> of the permit, as well as any other non-storm water discharges, which will be allowed to be discharged into the FDOT MS4.	YES / NO (If no, list anticipated completion date)		YES / NO (If no, list reason and/or anticipated implementation date.)

Table **V.C.8.b.** - Table for FDOT Statewide Storm Water Management Program Training Status

FDOT STATEWIDE STORM WATER MANAGEMENT PROGRAM TRAINING (Conducted through State Office)	TRAINING CONDUCTED DURING THE PERMIT YEAR?	DESCRIPTION OF TRAINING COURSE	NO. OF DISTRICT EMPLOYEES COMPLETING TRAINING COURSE?
Conduct training for FDOT maintenance and construction inspectors in the identification and detection of potential storm water related problems, signs of illegal dumping and illicit connections, proper containment methods, and reporting procedures.	YES / NO (If no, give anticipated schedule.)		
Conduct training for the FDOT Emergency Coordinator assigned to each FDOT maintenance facility. Training shall not only educate the FDOT Emergency Coordinator in the proper containment of spills and spill reporting procedures, but shall include storm water remediation activities, storm water regulations, and storm water retrofitting necessary to eliminate polluted storm water discharges from FDOT maintenance facilities.	YES / NO (If no, give anticipated schedule.)		
Conduct training for all FDOT personnel involved in the chemical weed and grass control program to ensure a safe and effective program. Incorporate into the training of these applicators an emphasis on storm water implications of the use of pesticides, herbicides, and fertilizers.	YES / NO (If no, give anticipated schedule.)		
Conduct training for all FDOT personnel involved in hazardous waste handling. Incorporate into the training a segment on the identification, detection, and reporting of illicit storm water connections and potential storm water related problems such as visible water quality degradation and signs of illegal dumping.	YES / NO (If no, give anticipated schedule.)		

D. Certification and Signature of Reports.

All reports required by the permit and other information requested by the Director shall be signed and certified in accordance with Parts VI.H. & VI.I. of the permit.

E. Reporting: Where and When to Submit.

1. As required by Part V.C., monitoring results obtained during the reporting period running from the 12 month term beginning on the effective date of this permit and annually thereafter shall be submitted on Discharge Monitoring Report Form(s) in the ANNUAL REPORT for Year Five of the permit. A separate Discharge Monitoring Report Form is required for each event monitored.
2. Signed copies of the ANNUAL REPORT required by Part V.C. and all other reports required herein, shall be submitted to:

U.S. EPA, Region IV
Water Management Division
Water Permits and Enforcement Branch (WPEB-7)
345 Courtland Street, N.E.
Atlanta, Georgia 30365

F. Additional Notification.

In addition, the permittees shall provide a copy of each ANNUAL REPORT to:

Florida Department of Environmental Protection
Bureau of Surface Water Management
Storm Water Section
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

G. Retention of Records.

The permittees shall retain the latest version of the Storm Water Management Program developed in accordance with Part II of this permit for at least three years after the expiration date of this permit. The permittees shall retain all records of all monitoring information, copies of all reports required by this permit, and records of all other data required by or used to demonstrate compliance with this permit, until at least three years after the expiration date of this permit. This period may be explicitly modified by alternative provisions of this permit or extended by request of the Director at any time.

PART VI. STANDARD PERMIT CONDITIONS

A. Duty to Comply. The permittees must comply with all conditions of this permit insofar as those conditions are applicable to each permittee, either individually or jointly. Any permit noncompliance by a permittee constitutes a violation of the CWA and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application for the non-complying permittee.

B. Penalties for Violations of Permit Conditions.

1. Criminal

- a. Negligent Violations The CWA provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.
- b. Knowing Violations The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both.
- c. Knowing Endangerment The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 year, or both.
- d. False Statement The CWA provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 2 years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See Section 309(c)(4) of the Clean Water Act).

2. Civil Penalties - The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$25,000 per day for each violation.
3. Administrative Penalties - The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:
 - a. Class I penalty Not to exceed \$10,000 per violation nor shall the maximum amount exceed \$25,000.
 - b. Class II penalty Not to exceed \$10,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$125,000.
- C. **Duty to Reapply.** If a permittee(s) wishes to continue an activity regulated by this permit after the permit expiration date, the permittee(s) must apply for and obtain a new permit. The application shall be submitted at least 180 days prior to expiration of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR 122.6 and any subsequent amendments.
- D. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- E. **Duty to Mitigate.** Each permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- F. **Duty to Provide Information.** Each permittee shall furnish to the Director, within a time specified by the Director, any information which the Director may request to determine compliance with this permit. The permittees shall also furnish to the Director upon request copies of records required to be kept by this permit.
- G. **Other Information.** When a permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in any report to the Director, he or she shall promptly submit such facts or information.

H. Signatory Requirements. All Discharge Monitoring Reports, storm water management programs, reports, certifications or information either submitted to the Director or that this permit requires be maintained by the permittees, shall be signed by:

1. Either a principal executive officer or ranking elected official; or
2. A duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Director, and
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new written authorization satisfying the requirements of this paragraph must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

I. Certification. Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

J. Penalties for Falsification of Reports. Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both.

- K. Penalties for Falsification of Monitoring Systems.** The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the CWA.
- L. Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittees from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA or section 106 of CERCLA.
- M. Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- N. Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
- O. Requiring an Individual Permit.**
1. The Director may require any permittee authorized by this permit to obtain an individual NPDES permit. Any interested person may petition the Director to take action under this paragraph. The Director may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form (as necessary), a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit, coverage under this permit shall automatically terminate. Individual permit applications shall be submitted to the address of the appropriate Regional Office shown in Part V.E.2. of this permit. The Director may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Director, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.
 2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application as specified by 40 CFR 122.26(d) with reasons supporting the request to the Director. Individual permit applications shall be submitted to the address of the appropriate Regional Office shown in Part V.E.2. of this permit. The request may be granted by the issuance of a individual permit if the reasons cited by the owner or operator are adequate to support the request.

P. State/Environmental Laws.

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

Q. Proper Operation and Maintenance. Each permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water management programs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

R. Monitoring and Records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The permittees shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of the reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
3. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The initials or name(s) of the individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses were performed;
 - d. The time(s) analyses were initiated;
 - e. The initials or name(s) of the individual(s) who performed the analyses;
 - f. References and written procedures, when available, for the analytical

techniques or methods used; and

- g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

- S. **Monitoring Methods.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- T. **Inspection and Entry.** The permittee shall allow the Director or an authorized representative of EPA, or the State, upon the presentation of credentials and other documents as may be required by law, to:
 - 1. Enter the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
 - 2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
 - 3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).
- U. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- V. **Additional Monitoring by the Permittee(s).** If the permittees monitor more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased monitoring frequency shall also be indicated on the DMR.

PART VII. PERMIT MODIFICATION

A. Modification of the Permit: The permit may be reopened and modified during the life of the permit to:

1. Incorporate into the permit the finalized pollutant load reduction goals agreed to by the permittees and the National Estuary Program (NEP) in the National Estuary Program Comprehensive Conservation and Management Plan for the geographical area covered by this NPDES permit;
2. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
3. Address changes in State or Federal statutory or regulatory requirements;
4. Include the addition of a new permittee who is the owner or operator of a portion of the Municipal Separate Storm Sewer System; or
5. Include other modifications deemed necessary by the Director to comply with the goals and requirements of the Clean Water Act.

All modification to the permit will be made in accordance with 40 CFR 122.62, 122.63, and 124.5.

B. Termination of Coverage for a Single Permittee

Permit coverage may be terminated, in accordance with the provisions of 40 CFR 122.64 and 124.5, for a single permittee without terminating coverage for other permittees.

C. Modification of Storm Water Management Program(s)

Only those portions of the Storm Water Management Programs specifically required as permit conditions shall be subject to the modification requirements of 40 CFR 124.5. Replacement of an ineffective or infeasible BMP implementing a required component of the Storm Water Management Program with an alternate BMP expected to achieve the goals of the ineffective or infeasible BMP shall be considered minor modifications to the Storm Water Management Program and not modifications to the permit. (See also Part II.G.)

D. Changes in Monitored Outfalls

This permit is issued on a system-wide basis in accordance with CWA §402(p)(3)(i) and authorizes discharges from all portions of the Municipal Separate Storm Sewer System. Since all outfalls are authorized, changes in monitoring outfalls, other than those with specific numeric effluent limitations, if any, shall be considered minor modifications to the monitoring program and not modifications to the permit. (See also Part V.B.1. and V.C.6.) Changes in monitoring outfalls with specific numeric effluent limitations shall be considered modifications to the permit and will be made in accordance with the procedures at 40 CFR 122.62.

PART VIII. DEFINITIONS

All definitions contained in Section 502 of the CWA shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

- A. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- B. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility, which is not a designed or established operating mode for the facility.
- C. "CWA" means Clean Water Act, also referred to as "the Act" (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq., as amended by the WQA of 1987, P.L. 100-4, the "Act."
- D. "Director" means the EPA Regional Administrator or an authorized representative.
- E. "Discharge" for the purpose of this permit, unless indicated otherwise, refers to discharges from the Municipal Separate Storm Sewer System (MS4).
- F. "Flow-weighted composite sample" means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge at the time of sampling.
- G. "Illicit connection" means any man-made conveyance connecting a non-storm water discharge directly to a municipal separate storm sewer system.
- H. "Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and other discharges listed in Part II. A.7.a. of this permit.
- I. "Industrial Land Use" means land utilized in connection with manufacturing, processing, or raw materials storage at facilities identified under 40 CFR 122.26(b)(14).
- J. "Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

- K. "Large Municipal Separate Storm Sewer System" means all municipal separate storm sewers that are either:
- (i) located in an incorporated place (city) with a population of 250,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
 - (ii) located in the counties with unincorporated urbanized populations of 250,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
 - (iii) owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large municipal separate storm sewer system.
- L. "Medium Municipal Separate Storm Sewer System" means all municipal separate storm sewers that are either:
- (i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
 - (ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
 - (iii) owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the medium municipal separate storm sewer system.
- M. "MEP" is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems established by CWA §402(p).
- N. "MS4" is an acronym for "municipal separate storm sewer system" and is used to refer to either a Large or Medium Municipal Separate Storm Sewer System (e.g. "the Atlanta MS4").

- O. "Municipal Separate Storm Sewer" means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains):
- (i) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State Law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian Tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
 - (ii) designed or used for collecting or conveying storm water;
 - (iii) which is not a combined sewer; and
 - (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.
- P. "Permittee" means each individual co-applicant for an NPDES permit who is only responsible for permit conditions relating to the discharge that they own or operate. (Also, See 40 CFR 122.2)
- Q. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.
- R. "Severe property damage" means substantial physical damage to property, damage to the treatment facility which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- S. "State Storm Water Quality Standards", is defined at Section 403.0891 of the Florida Statutes, and State Water Policy, Chapter 62-40, Florida Administrative Code.
- T. "Storm Sewer", unless otherwise indicated, refers to a municipal separate storm sewer.
- U. "Storm Water" means storm water runoff, snow melt runoff, surface runoff and drainage.
- V. "Storm Water Discharge Associated with Industrial Activity" is defined at 40 CFR 122.26(b)(14). (Also, See Fact Sheet for this Permit.)

- W. "Storm Water Management Program" refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system. For the purposes of this permit, the Storm Water Management Program is considered a single document, but may actually consist of separate programs (e.g. "chapters") for each permittee.
- X. "Surface Water Ambient Monitoring Program" refers to a comprehensive program implemented by the Florida Department of Environmental Protection, Bureau of Surface Water Management, which is designed to accomplish the following goals:
1. Identify and document the existing condition of the surface waters of the State,
 2. Document potential problem areas,
 3. Establish stream ecoregion reference sites for comparison purposes,
 4. Collect biological data at ecoregion reference sites to establish preliminary biological integrity measurements techniques, and
 5. Establish a Statewide ambient monitoring network which will eliminate duplication, share data, increase efficiency, and improve assessment and management capabilities.
- To date, the monitoring strategies included within the State of Florida's Surface Water Ambient Monitoring Program have been based on:
- Ecoregion Subregionalization and the associated stream Community Bioassessment Protocols (CBA) developed for the nonpoint source program,
 - Chemistry Trend Network to fulfill the need to evaluate the State's water quality over time,
 - Chemistry Status Network with emphasis on water bodies with fair or poor water quality or areas which have not been recently sampled, and
 - Lake Ecoregion and Community Bioassessment Projects.
- Y. "SWMP" is an acronym for "Storm Water Management Program."
- Z. "Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.
- AA. "Waters of the United States" is defined at 40 CFR 122.2.